On April 30, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12088. Adulteration of walnut meats. U. S. v. 20 Cases of Walnut Meats. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17256. I. S. Nos. 8163-v, 8164-v. S. No. W-1308.)

On February 10, 1923, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 20 cases of walnut meats, at Denver, Colo., consigned by the Sanitary Nut Shelling Co., Los Angeles, Calif., alleging that the article had been shipped from Los Angeles, Calif., on or about January 11, 1923, and transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Case) "Sanitary Nut shelling Co. * * * Dark Amber" (or "Standard Amber") "50 Lbs. Net."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On April 30, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12089. Misbranding of Glicofostina. U. S. v. 123 Bottles, et al., of Glicofostina. Decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 17966, 17967, 17968, 17969, 17970, 17971, 17972, 18023. S. Nos. E-4543, E-4544, E-4545, E-4546, E-4547, E-4548, E-4549, E-4586.)

On November 6 and 16, 1923, respectively, the United States attorney for the District of Porto Rico, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 1,050 bottles of Glicofostina, in part at San Juan and in part at Mayaguez, P. R., alleging that the article had been shipped by the Henry S. Wampole Co., Baltimore, Md., the greater portion thereof between the dates of May 25 and October 26, 1923, and that the said article was being sold and offered for sale in the Territory of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of strychnine sulphate, sodium, potassium, and calcium glycerophosphates, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements regarding the curative or therapeutic effects of the said article, (translation of Spanish) (bottle) "For The Nerves. * * * Indicated in Neurasthenia, Nervous Exhaustion, Nervous Debility, Fatigue, General Decay, Insomnia, Hysteria, Excitability and in all depressive conditions of the nervous system," (circular) "Nerve Tonic * * * Any excessive effort, either mental or corporal; a prolonged state of nervous tension; overwork; insufficient quantity of sleep or rest; poor or malnutrition; excess of indulgence and any kind of excess surely tends to exhaustion and malfunctioning of the nervous system which manifests itself by diverse symptoms among which we will mention: muscular debility, indicating fatigue of the nervous system; painful sensation after making any kind of exercise; headaches; neuralgia; poor digestion; sexual impotence; lack of activity; depression; irritability and excitement; anxiety or groundless fear; insomnia; loss of appetite, etc. Such a state requires the immediate administration of Nerve Tonics, that is to say * * * Glicofostina Of Henry S. Wampole * * * Nervous Debility, Nervous Weakness, Insomnia," were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 28, 1923, the Henry S. Wampole Co., Baltimore, Md., having appeared as claimant for the property and having admitted the allegations of the libels, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of $800, in conformity with section 10 of the act.

HOWARD M. GORE, *Acting Secretary of Agriculture.*